

**2012 Annual Report
New York State Senate
Judiciary Committee**



Senator John J. Bonacic, Chairman

**Senator Ruth Hassell-Thompson,
Ranking Minority Member**

January 29, 2013

Senator Dean Skelos
New York State Senate
Albany, New York 12247

Senator Jeffrey Klein
New York State Senate
Albany, New York 12247

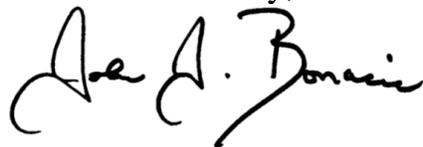
Dear Senator Skelos and Senator Klein:

As Chairman of the New York State Senate Judiciary Committee, I am pleased to present to you the Committee's 2012 Annual Report.

The attached report details the New York State Senate Judiciary Committee's activities over the past year. I would like to thank the Ranking Minority Member, Senator Ruth Hassell-Thompson, for her hard work and attentiveness to this committee. I would also like to thank the members of the committee for their participation and commitment.

I look forward to working with the members of the New York State Senate Judiciary Committee to ensure that we continue to move in a positive, productive direction in 2013.

Sincerely,

A handwritten signature in black ink that reads "John J. Bonacic". The signature is written in a cursive style with a large, sweeping initial "J".

JOHN J. BONACIC
State Senator

Committee Members

Senator John J. Bonacic, Chairman
Senator Ruth Hassell-Thompson, Ranking Minority Member

Senator Eric Adams
Senator Neil D. Breslin
Senator John A. DeFrancisco
Senator Martin Malavé Dilan
Senator Adriano Espaillat
Senator John J. Flanagan
Senator Charles J. Fuschillo, Jr.
Senator Michael Gianaris
Senator Liz Krueger
Senator Andrew J. Lanza
Senator Kenneth P. LaValle
Senator Elizabeth Little
Senator Michael F. Nozzolio
Senator Thomas F. O'Mara
Senator Bill Perkins
Senator Michael H. Ranzenhofer
Senator Stephen M. Saland
Senator José M. Serrano
Senator Daniel L. Squadron
Senator Toby Ann Stavisky
Senator Lee M. Zeldin

Committee Staff

Langdon Chapman, Counsel
David Gruenberg, Majority Counsel
Andrew Winchell, Committee Clerk

Judiciary Budget for State Fiscal Year 2012-2013

The Legislature adopted a Unified Court System Budget of \$2.55 billion, which reflected an increase of \$3.6 million or .14%.

Summary of Judiciary Committee Action on Bills

Total bills referred to Committee in 2012	309
Total bills reported by Committee in 2012	47
Total number of bills reported by Committee that passed the Senate	24
Total number of bills reported by Committee that became law in 2012	10
Total number of bills reported by Committee that were vetoed in 2012	0

Bills Reported by Judiciary Committee that were Enacted Into Law in 2012

Chapter 44 of the Laws of 2012 – S.6659 Bonacic/A.9480 Quart

Repeals the requirement of an undertaking by a surrogate or a county judge.

Chapter 123 of the Laws of 2012 – S.6657 Bonacic/A.8344-A Weinstein

Includes marketable securities within the list of items considered family benefit exemptions and not included as assets of the estate.

Chapter 137 of the Laws of 2012 – S.6624 Bonacic/A.9400 Weinstein

Extends for two additional years, the current ability of referees to determine applications for orders of protection when family court is in session at any time the court is in session during or after established business hours.

Chapter 142 of the Laws of 2012 – S.6653-A Bonacic/A.9508-A Ryan

This measure amends both SCPA §1123(2)(e) and §1213(2)(c) to permit the settlement of small estates by filing informatory accounts where the gross value of the assets accounted for does not exceed the monetary amount defined as a small estate pursuant to SCPA §1301(1).

Chapter 281 of the Laws of 2012 – S.6641 Bonacic/A.8554 Weinstein

Provides for the inclusion of all property required to be set off, pursuant to paragraph (a) of section 5-3.1 of the estates, powers and trusts law, in the value of a small estate.

Chapter 294 of the Laws of 2012 – S.6977 Hannon/A.9836 Abinanti

Permits standby guardians to promptly notify preceding standby guardians of their duty to timely act and then to seek court intervention if necessary to ensure that the individual with a disability has a timely court-appointed guardian.

Chapter 345 of the Laws of 2012 – S.6988-A O’Mara/A.9996-A Zebrowski

Amends the real property law to make a technical amendment to the real estate license term and expiration, and streamlines the process by which real estate brokers and salespersons terminate and establish new records of association.

Chapter 386 of the Laws of 2012 – S.6522-B Libous/A.9390-B Morelle

The bill would add language conforming regulations in the private housing finance law to the "private transfer fee obligation act."

Chapter 478 of the Laws of 2012 – S.1546 Sampson/A.5275 Titone

Allows an attorney to attach a charging lien to awards and settlement proceeds that clients receive in arbitration or through other forms of alternative dispute resolution.

Chapter 492 of the Laws of 2012 – S.1998-A Fuschillo/A.5700-A Braunstein

Provides that practicing or appearing as an attorney-at-law without being admitted and registered shall be a class E felony instead of a misdemeanor.

Bills Reported by Judiciary Committee that were Vetoed by the Governor in 2012

None.

Bills Reported by Judiciary Committee that were Enacted into Law Through Ballot Proposals in 2012

None.

2012 Judicial Confirmations

Martin I. Efman of Huntington, confirmed to the Supreme Court of the Ninth Judicial District, for a term expiring on December 31, 2012.

Jeffrey A. Goodstein of Rockville Centre, confirmed to the Court of Claims, for a term expiring on July 31, 2014.

Stephen J. Lynch of Speonk, confirmed to the Court of Claims, for a term expiring on March 22, 2021.

April A. Newbauer of Brooklyn, confirmed to the Court of Claims, for a term expiring on April 28, 2019.

George R. Peck of Williston Park, confirmed to the Supreme Court of the Tenth Judicial District, for a term expiring on December 31, 2012.

Joseph A. Zayas of Little Neck, confirmed to the Court of Claims, for a term expiring on May 6, 2019.